

U.S. Department of Labor

Mine Safety and Health Administration
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Arlington, Virginia 22209-3939



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MEMORANDUM FOR KEVIN G. STRICKLIN
Administrator for Coal
Mine Safety and Health

FROM:

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SUBJECT: Fatality Review Committee Decision on Chargeability

Case No.: C-2008-22 [REDACTED]

Deceased: [REDACTED]

Date of Incident: May 24, 2008

Date of Death: May 24, 2008

Operator: Mountain Edge Mining,
Inc.

Mine: Coalburg No. 1 Mine

Decision: Not Chargeable

In a unanimous decision, the Fatality Review Committee has determined that the death of [REDACTED] should not be charged to the mining industry. MSHA's investigation revealed that [REDACTED], age 45, was one of three independent contractors hired to replace a mechanical splice in a conveyor belt at the Coalburg No. 1 Mine with a vulcanized splice. The work was performed on the surface, but for

unknown reasons the deceased traveled underground. He was discovered a few hours later, unresponsive and with no vital signs. An inspection of the underground belt did not disclose stray electrical currents or other environmental hazards. The Autopsy Report stated that [REDACTED] death occurred as a result of combined cocaine, methadone, oxycodone, hydrocodone, and diazepam intoxication. Based on the Autopsy Report and the results of MSHA's investigation, the committee members concluded that [REDACTED] death should not be charged to the mining industry because he died of an accidental drug overdose while working at a mine.

cc: Richard E. Stickler
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